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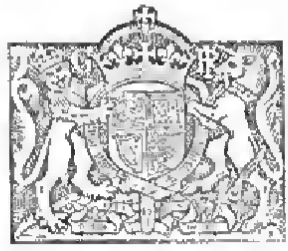

THE FORT ST. GEORGE GAZETTE

EXTRAORDINARY

Published by Authority.

No. 6] MADRAS, SATURDAY, JANUARY 9, 1932. [Price, 9 pies.

PUBLIC DEPARTMENT.
(General.)

NOTIFICATION.

FORT ST. GEORGE, JANUARY 9, 1932.

No. 38.—The following notification of the Government of India is republished :—

HOME DEPARTMENT.

POLITICAL.

New Delhi, the 4th January 1932.

No. F.33/XXIV/31-Political.—The following Statement by the Governor General in Council is published for general information :—

STATEMENT.

The Government of India desire at the present crisis to place before the public the issues raised by the attitude of Congress and their declared intention to launch a general campaign of civil disobedience. It is the policy of His Majesty's Government and the Government of India to secure, in the framing of a constitution for India, the maximum co-operation and agreement of all parties and interests in England and in India, and it was with this object that the procedure by Conference was adopted. In December 1929 the Congress deliberately rejected this method in favour of the barren road of non-co-operation, and a few months later they initiated the campaign of civil disobedience. The consequent loss of life and property and the damage caused to business and trade, are fresh in the memory of the public. The movement continued until the beginning of March 1931, by which time, owing partly to the measures taken to meet it and partly to the steadily decreasing support of the public, it had ceased to be a cause of anxiety to Government. In the meantime, the Prime Minister had made his declaration of the 19th of January 1931, and the Government of India, with the approval of His Majesty's Government, decided to make a further effort to secure the co-operation of the Congress in bringing to fruition the policy which he had announced. The result was the Delhi Settlement of March 5, 1931. The primary object of that Settlement was to give to Congress the opportunity of participation in the further discussions of the Round Table Conference, and through the anxious months that followed the Government of India kept that purpose steadfastly in view. They and the local Governments scrupulously observed the terms of the Settlement, and spared no effort to surmount the difficulties which the activities of Congress continuously placed in the way of the establishment of peaceful conditions. Some of those difficulties have been described in the statements issued by the Government of the United Provinces, on the 14th December 1931 and by the Chief Commissioner of the North-West Frontier Province on the 24th and 30th of

December 1931, but they were not confined to those provinces. They were evident in varying degrees in every province and the Government of India have on record many instances of specific breaches of the Delhi Settlement. It is, however, more to the general trend of Congress policy than to individual cases that they now wish to refer. Within a few days of the Delhi Settlement, two features became manifest, and have since been continuously in evidence. The first was the organised attempt to utilise the Settlement as a means of preparation for a further conflict. The second was the exploitation of the Settlement for the purpose of adding to the prestige of Congress, and of securing for them and its members a position of privilege, not enjoyed by any other organization or by members of the general public. Preparations for a renewal of civil disobedience have been openly carried on. Their excuse has been the assumed futility of the Round Table Conference and the bad faith of British statesmen. Allegations to this effect have continuously been made by the Congress press and by responsible Congress leaders. There has been no disposition to await events or to show a spirit of confidence without which true co-operation was impossible. Behind the screen of distrust so created, the Congress have conducted preparations for a new campaign. They have laid particular stress on the consolidation of their position in rural areas, and in every province they have missed no opportunity to exploit the economic situation for that purpose. They have extended their volunteer organisations, and in the North-West Frontier Province they raised through Abdul Ghaffar Khan (who was recognised by the All-India Congress Committee as the leader of the Congress movement in that province) a very large body of men who were trained in expectation of a struggle with Government. The dangers of this "war mentality" were evident to Government, and Congress could not have been ignorant of them. They were, in fact, brought to the notice of Mr. Gandhi on several occasions, and, in particular, the menace to the Delhi Settlement, involved in the Red Shirt movement in the North-West Frontier Province and the agrarian agitation in the United Provinces, were strongly represented to him. While the Round Table Conference was still in session, a no-rent campaign was started in the United Provinces. A little later, preparations for a conflict in the North-West Frontier Province were so intensified as to create a situation of grave danger, to meet which Government were compelled to abandon the policy of forbearance which they had hitherto pursued.

The exploitation of the Settlement for the purpose of securing to the Congress a privileged position has taken various forms. During the months that followed the Delhi Settlement, the Government of India had persistently to contest claims, the acceptance of which would have involved one or other of the following consequences:—

(*a*) Fettering their own discretion and that of local Governments in the discharge of their responsibilities for the maintenance of law and order.

(*b*) Placing members of the Congress who offended against the law in a favourable position in comparison with other members of the public in similar circumstances.

(*c*) The recognition of Congress as a body whose advice must be accepted in matters relating to land revenue and rent.

(*d*) Generally, the acceptance of the principle that the Settlement of March 5th, gave to Congress a status which entitled it to more favourable treatment than is accorded by Government to any other association—political or otherwise, and constituted it an intermediary between the Government and the people.

Side by side with this intervention in the administration of the country, the Congress have in various ways interfered with private liberty and the freedom of trade. Under the guise of peaceful persuasion, they have employed the methods of intimidation and coercion to impose on individuals and concerns an intolerable system of tyranny.

2. In their determination to assist towards the peaceful solution of constitutional problems, the Government of India showed deliberate forbearance towards Congress activities. They refrained from denouncing the Delhi Settlement, although justification for such a course was given on many occasions, and they persisted with success in their endeavours to obtain a *modus vivendi* which would enable Mr. Gandhi to attend the Round

Table Conference. In the Statement delivered on the 1st of December last, the Prime Minister renewed the pledges he had given in the previous January. In one direction he made an important advance. He gave an assurance that, with due regard to the necessary requirements of the Frontier, the North-West Frontier Province would be constituted a Governor's Province of the same status as other Governors' Provinces, and he further announced that, pending the introduction of the new constitution in other provinces, necessary steps would be taken, as soon as may be, to apply to the Province the provisions of the present Government of India Act relating to Governors' Provinces. This declaration was made with the full support of the Government of India and is an earnest of the good faith with which they have approached and will continue to approach the question of constitutional advance. A few days after the declaration of the Prime Minister, Parliament by an overwhelming majority accepted the policy which the National Government had announced. Among other commitments, was the undertaking to expedite the scheme of constitutional advance, and to this end to set up various Committees to deal with specific aspects of the problem. In pursuance of this pledge, the Committees are now in course of constitution and the representatives of British parties will sail for India on January 15th. The Government of India, on their part, are doing all that is possible to push forward the work. In particular, they are taking steps which, they believe, will secure for the North-West Frontier Province within a few months the present status of a Governor's Province.

3. The position when Mr. Gandhi returned to India was thus briefly as follows. His Majesty's Government and Parliament were committed to a scheme of constitutional reform which had been accepted as reasonable by the great majority of Delegates to the Round Table Conference. They had further given an undertaking that they would make every effort to overcome as quickly as possible the practical difficulties in the way of its immediate realization and, in pursuance of this, they had set up the machinery by which some of those difficulties can be solved. The Government of India were pledged to assist and expedite the work by all means in their power. Mr. Gandhi had given no clear indication of whether he or the Congress, whom he represented, were willing to co-operate in the fulfilment of the scheme of His Majesty's Government. In the meantime, Congress had precipitated a conflict with Government in the United Provinces and in the North-West Frontier Province, and proposals had been initiated to start a campaign elsewhere for the boycott of British goods and institutions. The main issue before Government was whether Congress were prepared or not to co-operate in further constitutional discussions; and it was essential to ascertain their attitude and that of Mr. Gandhi towards this fundamental question. It was plain that there could be no co-operation in any accepted sense of the term so long as activities in the United Provinces and the North-West Frontier Province continued. It was also clear that there could be no co-operation under a continuous menace of the renewal of civil disobedience. The telegram of Mr. Gandhi of the 1st of January and the resolutions of the Working Committee of Congress passed under his advice have left no doubt on this issue. Under the specific threat of a general renewal of civil disobedience the programme of which has been announced the Government of India have been asked to accept conditions which would make Mr. Gandhi the arbiter of measures necessary for the maintenance of law and order, and which would leave Congress free to pursue their subversive activities as seemed fit to them. The measure of the co-operation which Congress would extend in return for the acceptance of these conditions is indicated by the announcement of the Working Committee. They have pronounced the declaration of the Prime Minister to be wholly unsatisfactory and inadequate in terms of the Congress demands, and they have demanded that if their co-operation be accepted, free scope be given to them to prosecute their claim to complete independence. There was clearly no alternative left to the Government of India but to reject these demands, and to take all measures that were necessary to meet the campaign of civil disobedience.

4. Mr. Gandhi has stated as part of his creed that civil disobedience is not only the natural right of the people, especially when they have no effective voice in their own Government, but that it is also an effective substitute for violence or armed rebellion. Experience

has proved time and again that in this country civil disobedience cannot be carried on without violence and Mr. Gandhi himself has spoken of the sacrifice of a million lives. The civil disobedience as conceived and as practised by Congress is to paralyse the administration, and to inflict the maximum of harm on Government, regardless of the loss it may entail to private individuals. It is opposed to all constitutional principles and if it achieved its object, it would make any form of Government impossible. In using their full resources against it the Government of India are, therefore, fighting the battle, not only of the present Government, but of the governments of the future. It is particularly incumbent upon them at the present juncture to oppose with their full power a movement which would make constitutional advance impossible. It is their duty to hand over to the new order a working administration, and to this end to resist, with all their might, forces which would create a state of anarchy and chaos. The peaceful progress of India depends on the maintenance of the authority of Government and of respect for the law whatever that Government may be, and the present Government of India would fail lamentably in their obligations to their successors if, during a period of transition, they allowed this fundamental principle to go by default, or were content to permit the usurpation of their functions by any political organization.

An issue of hardly less importance is whether a political organization is to be allowed by lawless means to impose its will on the public, large sections of which deny its authority and oppose its pretensions. Government would fail in their duty were they to countenance the claims of Congress to control and domination, or permit them, in effect, to assume the position of a parallel government.

5. The issues before the country are plain. On the one side there is a body to which has twice been offered an opportunity, without precedent, of assisting towards the political advancement of the country. It has twice rejected the offer and has twice chosen to follow the path of destruction rather than of constructive effort. It is determined to inflict untold harm on the country in the pursuit of a position of domination which whole classes of the people will not accept. It persists in methods which, if successful, would uproot the foundations of all government, and would render impossible any system of orderly administration now and in the future.

On the other side, there is the opportunity of co-operation in the great work of constitutional reform to which His Majesty's Government and Parliament are pledged. The Government of India are equally pledged to press forward the work, and this they will do undeterred by the threats of Congress. While they will take every measure that is necessary for the suppression of a lawless movement and for the protection of public and private liberty, they will also spare no effort to bring to completion the policy of His Majesty's Government.

In this task they appeal for the co-operation of all who have at heart the peace and happiness of the people of India and who, rejecting the methods of revolution, desire to follow to its certain goal the path of constitutional advance.

H. W. EMERSON,
Secretary to the Govt. of India.

(By order of the Governor in Council)

G. T. H. BRACKEN,
Chief Secretary.

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Reg. No. 1—M.

THE FORT ST. GEORGE GAZETTE

EXTRAORDINARY

Published by Authority.

No. 7] MADRAS, SATURDAY, JANUARY 9, 1932. [PRICE, 2 annas.

PUBLIC DEPARTMENT.
(General.)

NOTIFICATIONS.

FORT ST. GEORGE, JANUARY 9, 1932.

No. 39.—The following Ordinance of the Government of India is republished :—

LEGISLATIVE DEPARTMENT

New Delhi, the 4th January 1932.

ORDINANCE No. II OF 1932.

An Ordinance to confer special powers on Government and its officers for the purpose of maintaining law and order.

WHEREAS an emergency has arisen which makes it necessary to confer special powers upon Government and its officers for the purpose of maintaining law and order ;

NOW THEREFORE, in exercise of the power conferred by section 72 of the Government of India Act, the Governor General is pleased to make and promulgate the following Ordinance :—

CHAPTER I.

PRELIMINARY.

1. (*1*) This Ordinance may be called the Emergency Powers Ordinance, 1932.

Short title, extent and commencement.

(*2*) This section and section 63 extend to the whole of British India, including British Baluchistan and the Sonthal Parganas, and the remaining provisions of this Ordinance shall extend only to such provinces or parts of provinces as the Governor General in Council may, by notification in the *Gazette of India*, specify.

(*3*) This section and section 63 shall come into force at once, and the Local Government may, by notification in the local official Gazette, direct that any or all of the remaining provisions shall come into force in any area to which they have been extended, on such date as may be appointed in the notification.

2. In this Ordinance, unless there is anything repugnant in the subject or context,—

Definitions.

(*1*) "the Code" means the Code of Criminal Procedure, 1898 ; and V of 1898.

(*2*) "District Magistrate" means, in the case of a Presidency-town or the town of Rangoon, the Commissioner of Police.

CHAPTER II.

EMERGENCY POWERS.

3. (*1*) Any officer of Government authorized in this behalf by general or special order of the Local Government may, if satisfied that there are reasonable grounds for believing that any person has acted, is acting or is about to act, in a manner prejudicial to the public safety or peace, arrest such person without warrant, and may, in so doing, use any means that may be necessary.

Power to arrest and detain suspected persons.

(*2*) An officer making an arrest under this section shall forthwith report the fact to the Local Government and may, by order in writing, commit any person so arrested to such custody as the Local Government may, by general or special order, specify in this behalf :

Provided that no person shall, unless the Local Government by special order otherwise directs, be so detained in custody for a period exceeding fifteen days :

Provided further that no person shall be so detained in custody for a period exceeding two months

Power to control suspected persons.

4. (1) The Local Government, if satisfied that there are reasonable grounds for believing that any person has acted, is acting, or is about to act, in a manner prejudicial to the public safety or peace or in furtherance of a movement prejudicial to the public safety or peace, may, by order in writing, give any one or more of the following directions, namely, that such person—

(a) shall not enter, reside or remain in any area specified in the order ;

(b) shall reside or remain in any area specified in the order ;

(c) shall remove himself from, and shall not return to, any area specified in the order ;

(d) shall conduct himself in such manner, abstain from such acts, or take such order with any property in his possession or under his control, as may be specified in the order.

(2) An order made under sub-section (1) shall not, unless the Local Government by special order otherwise directs, remain in force for more than one month from the making thereof

(3) An order made under sub-section (1) shall be served on the person to whom it relates in the manner provided in the Code for service of a summons.

Power to take possession of buildings

5. (1) If, in the opinion of the Local Government, any land or building can be utilised as quarters or offices for public servants, or for the accommodation of troops or police, or for the purpose of giving effect to this Ordinance or any order made thereunder, or otherwise for the public advantage, the Local Government may, by order in writing, require the occupier or other person in charge of the land or building to place it at the disposal of Government at such time as may be specified in the order, together with the whole, or any part specified in the order, of any fixtures, fittings, furniture or other things for the time being in the building ; and the Local Government may dispose of or use such land, building, fixtures, fittings, furniture or other things in such manner as it may consider expedient

(2) In this section "building" includes any portion or portions of a building whether separately occupied or not.

Power to prohibit or limit access to certain places

6. The District Magistrate may, by order in writing, prohibit or limit, in such way as he may think necessary for the public advantage, access to any building or place in the possession or under the control of Government or of any railway administration or local authority, or to any building or place in the occupation, whether permanent or otherwise, of His Majesty's Naval, Military or Air Forces or of any police force, or to any place in the vicinity of any such building or place.

Power to prohibit or regulate traffic

7. The District Magistrate may, by order in writing, prohibit or regulate, in such way as he may think necessary for the public advantage, traffic over any road, pathway, bridge, waterway or ferry.

Power to control supply of commodity of general use

8. (1) If, in the opinion of the Local Government, it is necessary for the public advantage to control the supply of any commodity of general use in any area to which this section applies, the Local Government may, by notification in the local official Gazette, make a declaration to that effect.

(2) In any area to which a declaration under sub-section (1) extends, the Local Government may exercise all or any of the following powers in regard to the commodity to which the declaration relates, namely :—

(a) it may, by general or special order in writing, require any trader to make a return in such form and within such time and to such authority as may be specified in the order of the stocks of such commodity held by him or consigned to him or under order on his account ; of any contracts for the supply to or by him of such commodity or for or in connexion with the production or manufacture of such commodity, and of any other dealing by him therein, of the persons with whom and the prices at which any such contracts or other dealings were made or had or the prices at which such commodity has been bought or sold by him ; of the cost of production of such commodity, so far as it may be known to him, and the profits usually made or expected by him on the sale thereof ; and of any other matters specified in the order with respect to which, in the opinion of the Local Government, it is desirable to obtain information for the purpose of controlling the price of such commodity ;

(b) it may, by notification in the local official Gazette, prescribe the conditions under which (including the maximum price at which and the persons by whom and to whom) such commodity may be sold ; and such conditions may be general for the whole area or may vary as regards different localities therein, and different conditions may be prescribed for different classes of such commodity ;

(c) it may, by order in writing, require a trader to place the whole or any

portion of his stock, whether immediately available or not, at the disposal of the Local Government at such time and place and in such manner as may be specified in the order, on receiving payment therefor at the price or prices fixed under clause (*b*).

(*3*) In this section "trader" includes a manufacturer, producer, warehouse-keeper or vendor, and, in the case of a vendor, a wholesale or retail vendor whether acting on his own behalf or on behalf of any other person, and, if not acting on his own behalf, the person on whose behalf he is acting.

Power to take possession of movables.

9. If, in the opinion of the Local Government, any product, article or thing, or any class of product, article or thing, can be utilized for the public advantage, the Local Government may, by order in writing, require any owner or person in charge of such product, article or thing to place it at the disposal of Government at such time and place as may be specified in the order; and the Local Government may dispose of or use it in such manner as it may consider expedient.

Power to regulate means of transport.

10. (*1*) The District Magistrate may, by order in writing, require any person to make, in such form and within such time and to such authority as may be specified in the order, a return of any vehicles or means of transport owned by him or in his possession or under his control.

(*2*) The District Magistrate, if, in his opinion, it is necessary for the public advantage, may, by order in writing, require any person owning or having in his possession or under his control any vehicle or means of transport to take such order therewith for such period as may be specified in the order.

Powers regarding arms, ammunition, etc.

11. (*1*) The District Magistrate may, by order in writing published in such manner as he thinks best adapted for informing the persons concerned,—

(*a*) prohibit, either absolutely or subject to such exception as may be specified in the order, the purchase, sale or delivery of, or other dealing in, any arms, parts of arms, ammunition or explosive substances; or

(*b*) direct that any person owning or having in his possession or under his control any arms, parts of arms, ammunition or explosive substances, shall keep the same in a secure place approved by the District Magistrate or remove them to any place specified in the order.

(*2*) The District Magistrate may take possession of—

(*a*) any arms, ammunition or explosives, or

(*b*) any tools, machinery, implements or other material of any kind, likely, in his opinion, to be utilized, whether by the owner or by any other person, for the purpose of causing unlawful hurt or damage to any person or to any property of Government or of any railway administration or of any local authority, and may make such orders as he may think fit for the custody and disposal thereof.

Power to employ additional police.

12. Any officer of Government authorized in this behalf by general or special order of the Local Government may, within any area specified in such order, appoint persons as special police officers, and any person so appointed shall be deemed to have been appointed as a special police officer in accordance with the provisions of any enactment relating to the appointment of special police officers in force in that area.

Power to require the attendance of certain persons.

13. Any officer of Government authorized in this behalf by general or special order of the Local Government may, within any area specified in such order, require any landholder, village headman, lambardar, inamdar or jagirdar, or any officer or servant of any local authority, or any teacher in any school, college or other educational institution to assist in the restoration and maintenance of law and order and in the protection of property in the possession or under the control of Government or of any railway administration or local authority in such manner and within such limits as the officer so authorized may specify.

Power to control public utility services.

14. If, in the opinion of the Local Government, it is necessary for the public advantage to secure the continuance of any public utility service, as defined in section 2 of the Trade Disputes Act, 1929, other than a public utility service owned by Government, the Local Government may— VII of 1929.

(*a*) by order in writing, require the owner or person in charge of the utility service or of any thing ancillary thereto, or the person in control of any establishment ancillary thereto, to take or abstain from such action in respect of the supply of such service as may be specified in the order; or

(*b*) after giving notice in writing to the owner or person in charge of the utility service or of anything ancillary thereto or to the person in control of any establishment ancillary thereto or, if such owner or person has disobeyed, or neglected to comply with, an order made under clause (*a*), without such notice, assume control of such service, thing or establishment, and take such order

therewith as may, in the opinion of the Local Government, be necessary to secure the continuance of such service.

Power to control posts and telegraphs.

15. The District Magistrate, if, in his opinion, it is necessary for the public advantage, may, in consultation with the chief postal authority in the district, control the operation of any post, telegraph, telephone or wireless office or station and, in particular, may intercept any postal article or telegraphic, telephonic or wireless message in the course of transmission, may ascertain its contents and may prohibit its further transmission.

16. The District Magistrate may—

Power to regulate the use of railways and vessels.

(*a*) require accommodation to be provided on any railway train or any vessel for any passengers or goods, and, for this purpose, exclude from such train or vessel any passengers or goods which it is already carrying or about to carry;

(*b*) require that any specified persons or classes of persons or persons proposing to travel to specified destinations, or any specified goods or classes of goods or goods consigned to specified destinations, shall not be carried on any railway or vessel;

(*c*) exclude or eject any passenger from any train or vessel;

(*d*) stop, or prohibit the stopping of, trains or vessels at any station; or

(*e*) in consultation with the local railway authorities, require special trains to be provided for the conveyance of troops, police or other persons.

Power to secure reports of public meetings.

17. The District Magistrate may, by order in writing, depute one or more police officers, not below the rank of head constable, or other persons, to attend any public meeting for the purpose of causing a report to be made of the proceedings, and may, by such order, authorize the persons so deputed to take with them an escort of police officers.

Explanation.—For the purposes of this section a public meeting is any meeting which is open to the public or to any class or portion of the public, and a meeting may be a public meeting notwithstanding that it is held in a private place and notwithstanding that admission thereto is restricted by ticket or otherwise.

Power to issue search-warrants.

18. The power to issue search-warrants conferred by section 98 of the Code shall be deemed to include a power to issue warrants authorizing—

(*a*) the search of any place in which any Magistrate mentioned in that section has reason to believe that any offence under this Ordinance or any act prejudicial to the public safety or peace has been, is being or is about to be committed, or that preparation for the commission of any such offence or act is being made;

(*b*) the seizure in or on any place searched under clause (*a*) of anything which the officer executing the warrant has reason to believe is being used, or is intended to be used, for any purpose mentioned in that clause;

and the provisions of the Code shall, so far as may be, apply to searches made under the authority of any warrant issued, and to the disposal of any property seized, under this section.

General power of search.

19. Any authority on which any power is conferred by or under this Chapter may, by general or special order, authorize any person to enter and search any place the search of which such authority has reason to believe to be necessary for the purpose of—

(*a*) ascertaining whether it is necessary or expedient to exercise such power; or

(*b*) ascertaining whether any order given, direction made, or condition prescribed in the exercise of such power has been duly complied with; or

(*c*) generally, giving effect to such power or securing compliance with, or giving effect to, any order given, direction made or condition prescribed in the exercise of such power.

Power to give effect to orders if disobeyed.

20. If any person disobeys or neglects to comply with an order made, direction given, or condition prescribed, in accordance with the provisions of this Chapter, the authority which made the order, gave the direction or prescribed the condition may take or cause to be taken such action as it thinks necessary to give effect thereto.

CHAPTER III.

PENALTIES.

Penalty for disobeying order under section 4.

21. Whoever disobeys or neglects to comply with any order made or direction given in accordance with the provisions of section 4 shall be punishable with imprisonment which may extend to two years, or with fine, or with both.

Penalty for disobeying other orders under Chapter II.

22. Subject to the provisions of section 21, whoever disobeys or neglects to comply with any order made, direction given, or condition prescribed in accordance with the provisions of Chapter II, or impedes the lawful exercise of any power referred to in that Chapter, shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

Tampering with public servants.

23. Whoever induces or attempts to induce any public servant or any servant of a local authority or any railway servant to disregard or fail in his duty as such servant shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

Dissuasion from enlistment.

24. Whoever dissuades or attempts to dissuade any person from entering the military or police service of His Majesty shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

Dissemination of false rumours.

25. Whoever by words, whether spoken or written, or by signs or by visible or audible representations or otherwise publishes any statement, rumour or report which is false and which he has no reasonable ground to believe to be true, with intent to cause or which is likely to cause fear or alarm to the public, or to any section of the public, or hatred or contempt towards any public servant, or any class of His Majesty's subjects, shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

Imposition of collective fine on inhabitants of turbulent areas.

26. (1) Where it appears to the Local Government that the inhabitants of any area are concerned in the commission of offences or other acts which are prejudicial to the maintenance of law and order or to the public revenues, or are harbouring persons concerned in the commission of such offences or acts, the Local Government may, by notification in the local official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Local Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

(5) The Local Government may award compensation out of the proceeds of a fine realized under this section to any person who, in the opinion of the Local Government, has suffered injury to person or property by the unlawful acts of the inhabitants of the area.

Explanation.—For the purposes of this section, the "inhabitants" of an area includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

Dissemination of contents of proscribed documents.

27. Whoever publishes, circulates or repeats in public any passage from a newspaper, book or other document copies whereof have been declared to be forfeited to His Majesty under any other law for the time being in force, shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

Power to direct payment by parent or guardian of fine imposed on a young person.

28. (1) Where any young person under the age of sixteen years is convicted by any Court of an offence under this Ordinance or of an offence which in the opinion of the Court has been committed in furtherance of a movement prejudicial to the public safety or peace, and such young person is sentenced to fine, the Court may order that the fine shall be paid by the parent or guardian of such young person as if it had been a fine imposed upon the parent or guardian:

Provided that no such order shall be made unless the parent or guardian has had an opportunity to appear before the Court and be heard.

(2) In any such case the Court may direct by its order that in default of payment of the fine by the parent or guardian, the parent or guardian shall suffer imprisonment as if the parent or guardian had himself been convicted of the offence for which the young person is convicted.

CHAPTER IV.

SPECIAL CRIMINAL COURTS.

Special Courts.

29. Courts of criminal jurisdiction may be constituted under this Ordinance of the following classes, namely :—

(i) Special Judges;
(ii) Special Magistrates;
(iii) Summary Courts.

Special Judges.

30. The Local Government may appoint to be a Special Judge for such area as it may think fit any officer who has acted for a period of not less than two years in the exercise of the powers of a Sessions Judge under the Code.

Jurisdiction of Special Judges.

31. Subject to the provisions of section 47, a Special Judge shall try such offences as the Local Government, or an officer empowered by the Local Government, in this behalf, may, by general or special order in writing, direct.

Procedure of Special Judges.

32. (1) A Special Judge may take cognizance of offences without the accused being committed to his Court for trial, and, in trying accused persons, shall follow the procedure prescribed by the Code for the trial of warrant cases by Magistrates:

Provided that a Special Judge may make a memorandum only of the substance of the evidence of each witness examined, and shall not be bound to adjourn any trial for any purpose unless such adjournment is, in his opinion, necessary in the interests of justice

(2) In matters not coming within the scope of sub-section (1), the provisions of the Code, so far as they are not inconsistent with this Ordinance, shall apply to the proceedings of a Special Judge; and, for the purposes of the said provisions, the Court of the Special Judge shall be deemed to be a Court of Session

Sentences by Special Judges.

33. A Special Judge may pass any sentence authorised by law.

Appeals and confirmation.

34. (1) An appeal shall lie in the case of any sentence passed by a Special Judge of death or of transportation or imprisonment for a term of two years or more, and the provisions of the Code and of the Indian Limitation Act, 1908, shall apply in respect of such appeal as if it were an appeal under the Code from a sentence passed by a Court of Session exercising jurisdiction in the area in which the offence was committed

IX of 1908

(2) A sentence of death passed by a Special Judge shall be subject to confirmation in the manner provided in the Code for the confirmation of a sentence of death passed by a Court of Session.

Special Magistrates.

35. Any Presidency Magistrate or Magistrate of the first class who has exercised powers as such for a period of not less than two years may be invested by the Local Government with the powers of a Special Magistrate under this Ordinance.

Jurisdiction of Special Magistrates.

36. Subject to the provisions of section 47 a Special Magistrate shall try such offences, other than offences punishable with death, as the Local Government or an officer empowered by the Local Government in this behalf may, by general or special order in writing, direct.

Procedure of Special Magistrates.

37. (1) In the trial of any case under this Ordinance, a Special Magistrate shall follow the procedure laid down in sub-section (1) of section 32 for the trial of cases by a Special Judge

(2) In matters not coming within the scope of sub-section (1), the provisions of the Code, so far as they are not inconsistent with this Ordinance, shall apply to the proceedings of a Special Magistrate; and for the purposes of the said provisions the Special Magistrate shall be deemed to be a Magistrate of the first class.

Sentences by Special Magistrates.

38. A Special Magistrate may pass any sentence authorised by law, except a sentence of death or of transportation or imprisonment exceeding seven years.

Appeals.

39. (1) Where a Special Magistrate passes a sentence of transportation or imprisonment for a term exceeding one year, or of fine exceeding one thousand rupees, an appeal shall lie to the Court of Session, unless the Special Magistrate passes a sentence of transportation exceeding one year or a sentence of imprisonment exceeding four years, in which case the appeal shall be to the High Court

(2) An appeal under sub-section (1) shall be presented within seven days from the date of the sentence.

Distribution of cases.

40. If any question arises whether, under any order made under section 31 or section 36, an offence is triable by a Special Judge or a Special Magistrate, the question shall be referred for decision to the Local Government, and its decision shall be final.

Summary Courts.

41. The Local Government may, by general or special order in writing, empower any Magistrate appointed under the provisions of the Code to exercise the powers of a Summary Court in any area specified in the order.

Jurisdiction of Summary Courts.

42. (1) Subject to the provisions of section 47, a Summary Court shall have power to try such offences as the District Magistrate may, by general or special order, direct:

Provided that no person shall be tried by a Summary Court for an offence not specified in sub-section (1) of section 260 of the Code which is punishable with imprisonment for a term exceeding two years

(2) The District Magistrate may, by general or special order, give directions as to the distribution among the Summary Courts in his district of cases triable by them under sub-section (1).

Procedure of Summary Courts.

43. In the trial of any case a Summary Court shall, as far as possible, follow the procedure laid down in the Code for the trial of warrant cases, and shall have all the powers conferred by the Code on a Magistrate;

Provided that the Court shall not be required to record more than a memorandum of the evidence or to frame a formal charge:

Provided further that, in the trial of any offence punishable with imprisonment for a term not exceeding one year, the Court may follow the procedure for the summary trial of cases in which an appeal lies laid down in Chapter XXII of the Code.

Sentences by Summary Courts.

44. Summary Courts may pass any sentence which may be passed by a Magistrate of the first class.

Appeals.

45. (1) If a Summary Court in a case tried according to the procedure for the trial of

warrant cases passes a sentence of imprisonment for a term exceeding three months or a fine exceeding two hundred rupees, or in a case tried by summary procedure passes a sentence of imprisonment for a term exceeding one month or a fine exceeding fifty rupees, an appeal shall lie to the Special Judge appointed for the area in which the offence was committed, or, if no Special Judge has been so appointed, to the Court of Session exercising jurisdiction in the area in which the offence was tried

(2) An appeal under sub-section (1) shall be presented within seven days from the date of the sentence.

(3) In disposing of an appeal under this section, a Special Judge shall follow the same procedure and have the same powers as an Appellate Court follows and has under the Code.

Procedure when Summary Court considers case triable by another Court.

46. (1) If a Summary Court is of opinion that the offence disclosed is one which it is not empowered to try, it shall send the case for trial to the Special Judge or Special Magistrate empowered to try the case under this Ordinance, or, if no such Court has been so empowered, to an ordinary criminal court having jurisdiction.

(2) If a Summary Court is of opinion that an offence which it is empowered to try should be tried by a Court of superior jurisdiction, or that it requires a punishment in excess of that which the Summary Court is empowered to inflict, it shall stay proceedings and report the case to the District Magistrate who may—

(a) direct that the case shall be tried by a Summary Court, or

(b) send it to a Court constituted under this Ordinance having jurisdiction, or to an ordinary criminal court having jurisdiction, or

(c) report it for the orders of the Local Government.

Limitation of jurisdiction of Special Courts

47. (1) No Court constituted under this Ordinance shall try any offence unless it is an offence punishable under this Ordinance or was committed in furtherance of a movement prejudicial to the public safety or peace

(2) The question whether or not an offence tried by a Court constituted under this Ordinance is of the nature described in sub-section (1) shall not be raised in any Court other than the Court trying the offence, and where such question is so raised then, if the Court is that of a Special Judge the question shall be referred to the Local Government, and if the Court is that of a Special Magistrate or is a Summary Court the question shall be referred to the District Magistrate, and the decision of the Local Government or District Magistrate shall be final.

Powers of Special Courts to deal with refractory accused.

48. (1) Where any accused, in a trial before a Court constituted under this Ordinance, has, by his voluntary act, rendered himself incapable of appearing before the Court, or resists his production before it, or behaves before it in a persistently disorderly manner, the Court may, at any stage of the trial, by order in writing made after such inquiry as it may think fit, dispense with the attendance of such accused for such period as it may think fit, and proceed with the trial in his absence

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or of being present in person if he has become capable of appearing, or appears in Court and undertakes to behave in an orderly manner

(4) Notwithstanding anything contained in the Code, no finding, sentence or order passed in a trial before a Court constituted under this Ordinance shall be held to be illegal by reason of any omission or irregularity whatsoever arising from the absence or any or all of the accused whose attendance has been dispensed with under sub-section (1).

Special rule of evidence.

49. Notwithstanding anything contained in the Indian Evidence Act, 1872, when the statement of any person has been recorded by any Magistrate, such statement may be admitted in evidence in any trial before a Court constituted under this Ordinance if such person is dead or cannot be found or is incapable of giving evidence, and the Court is of opinion that such death, disappearance or incapacity has been caused in the interests of the accused. 1 of 1872.

Legal practitioners.

50. A Court constituted under this Ordinance shall not be required to grant an adjournment for the purpose of securing the attendance of a legal practitioner if, in the opinion of the Court, such adjournment would cause unreasonable delay in the disposal of the case.

Exclusion of interference of other Courts.

51. Notwithstanding the provisions of the Code, or of any other law for the time being in force, or of anything having the force of law by whatsoever authority made or done, there shall, save as provided by this Ordinance, be no appeal from any order or sentence of a Court constituted under this Ordinance, and, save as aforesaid, no Court shall have authority to revise such order or sentence, or to transfer any case from any such Court, or to make any order under section 491 of the Code, or have any jurisdiction of any kind in respect of any proceedings of any such Court

Application of ordinary law.

52. The provisions of the Code and of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of this Ordinance, shall apply to all matters connected with, arising from or consequent upon a trial by special criminal courts constituted under this Ordinance.

CHAPTER V.

ARBITRATION TRIBUNALS.

Claims for compensation.

53. (*1*) Any person who has suffered any direct loss or damage by reason of action taken under section 5 or section 9 or sub-section (*2*) of section 21 or section 14 may, within two months from the date on which the action was taken lodge a claim for compensation with the Local Government, or with such officer as the Local Government may appoint in this behalf.

(*2*) No claim for compensation may be lodged for loss or damage caused in any case where action has been taken under section 26.

(*3*) Any claim lodged under sub-section (*1*) may be investigated by such officer as the Local Government may appoint in this behalf, and any amount which may be agreed upon between the Local Government and the claimant shall be paid to him. If the amount is not agreed upon, the claim shall be decided by an Arbitration Tribunal, in the manner hereinafter provided.

Constitution of Arbitration Tribunals.

54. (*1*) The Local Government may constitute an Arbitration Tribunal for the trial of any particular claim or claims, or of claims of a specified kind, or of claims arising within a specified area for which provision is not otherwise made.

(*2*) An Arbitration Tribunal shall consist of three persons, who are—

(*a*) Commissioners; or

(*b*) persons who have presided in a Civil Court of any grade for not less than five years, or

(*c*) persons who are qualified under sub-section (*3*) of section 101 of the Government of India Act for appointment as Judges of a High Court; or

(*d*) persons who have exercised the powers of a Magistrate of the first class for not less than five years, or

(*e*) persons having special knowledge of matters such as those which may be in dispute.

(*3*) The Local Government shall appoint one of the members to be President of the Tribunal.

(*4*) If for any reason any member of an Arbitration Tribunal is unable to discharge his duties, the Local Government shall appoint another member in his place, and on any such change occurring it shall not be incumbent on the Tribunal to re-call or re-hear any witness who has already given evidence in regard to any claim before it, and may act on any evidence already recorded by or produced before it.

Procedure of Arbitration Tribunals.

55. (*1*) Arbitration Tribunals may take evidence on oath (which such Tribunals are hereby empowered to administer), and shall have such powers to enforce the attendance of witnesses and the production of evidence as a Civil Court has under the Code of Civil Procedure, 1908. V of 1908.

(*2*) In the event of any difference of opinion among the members of an Arbitration Tribunal, the opinion of the majority shall prevail.

(*3*) Subject to any rules which the Local Government may make in this behalf, the President of an Arbitration Tribunal may make orders consistent with this Ordinance to provide for the place and conduct of a trial and all other ancillary matters which he may think necessary for carrying into effect the provisions of this Ordinance.

Compensation not necessarily to be determined by current rates.

56. In determining the compensation to be paid in respect of action taken under section 9 it shall not be necessary for an Arbitration Tribunal to have regard to the market price of the product, article or thing to which the claim relates, at the time of, or immediately prior to, such action; but the Tribunal shall have regard to the market price which prevailed in respect of products, articles or things of like nature immediately before the promulgation of this Ordinance.

CHAPTER VI.

SUPPLEMENTAL.

Delegation of powers.

57. (*1*) The Local Government may invest the District Magistrate with the powers of the Local Government under sub-section (*1*) of section 4, and may invest the District Magistrate or any Subdivisional Magistrate, or any police officer not below the rank of Deputy Superintendent, with any of the powers of the Local Government under section 5 or section 9.

(*2*) The Local Government may invest any Subdivisional Magistrate, or any police officer not below the rank of Deputy Superintendent, with any of the powers of a District Magistrate under Chapter II.

(*3*) The District Magistrate may by order in writing authorize any officer to exercise any of the powers of the District Magistrate under Chapter II in a specified area or in connexion with a specified emergency.

Reserve power to Governor General in Council.

58. The Governor General in Council may exercise any of the powers of a Local Government under Chapter II.

Bar of jurisdiction.

59. Except as provided in this Ordinance, no proceeding or order purporting to be taken or made under this Ordinance shall be called in question by any Court, and no civil or criminal proceeding shall be instituted against any person for anything done, or in good faith intended to be done, under this Ordinance.

Operation of other penal laws not barred

60. Nothing contained in this Ordinance shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence punishable under this Ordinance.

Offences under the Ordinance to be cognizable and non-bailable

61. Notwithstanding anything contained in the Code, any offence punishable under this Ordinance shall be cognizable and non-bailable.

Certain other offences to be cognizable and non-bailable.

62. (*1*) Notwithstanding anything contained in the Code, an offence punishable under section 160, 186, 187, 188, 189, 190, 227, 228, 295A, 298, 505, 506, 507 or 508 of the Indian Penal Code, shall be cognizable and non-bailable. XLV of 1860.

(*2*) Notwithstanding anything contained in section 195 or section 196 of the Code, any Court otherwise competent to take cognizance of an offence punishable under section 160, 187, 188, 228, 295A or 505 of the Indian Penal Code may take cognizance of such offence upon a report in writing of facts constituting such offence made by any police officer, but shall not proceed with the trial unless it has received a complaint in respect of such offence under section 195 or section 196 as the case may be, and the absence of such complaint shall be reasonable cause, within the meaning of section 344 of the Code, for postponing the commencement of the trial and for remanding the accused. XLV of 1860.

Temporary amendment of section 4, Act XXIII of 1931.

63. So long as this Ordinance remains in force, in sub-section (*1*) of section 4 of the Indian Press (Emergency Powers) Act, 1931, the following clauses shall be deemed to be added to clauses (*a*) and (*b*), namely :— XXIII of 1931

(*c*) to seduce any officer, soldier, sailor or airman in the military, naval or air forces of His Majesty or any police officer from his allegiance or his duty, or

(*d*) to bring into hatred or contempt His Majesty or the Government established by law in British India or the administration of justice in British India or any Indian Prince or Chief under the suzerainty of His Majesty, or any class or section of His Majesty's subjects in British India or to excite disaffection towards His Majesty or the said Government or any such Prince or Chief, or

(*e*) to put any person in fear or to cause annoyance to him and thereby induce him to deliver to any person any property or valuable security, or to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, or

(*f*) to encourage or incite any person to interfere with the administration of the law or with the maintenance of law and order, or to commit any offence, or to refuse or defer payment of any land-revenue, tax, rate, cess or other due or amount payable to Government or to any local authority, or any rent of agricultural land or anything recoverable as arrears of or along with such rent, or

(*g*) to induce a public servant or a servant of a local authority to do any act or to forbear or delay to do any act connected with the exercise of his public functions or to resign his office, or

(*h*) to promote feelings of enmity or hatred between different classes of His Majesty's subjects, or

(*i*) to prejudice the recruiting of persons to serve in any of His Majesty's forces, or in any police force, or to prejudice the training, discipline or administration of any such force,"

and the provisions of that Act shall apply accordingly.

WILLINGDON,
Viceroy and Governor-General.

No. 40.—The following notifications of the Government of India are republished :—

HOME DEPARTMENT.
(POLITICAL.)

New Delhi, the 4th January 1932.

No. S-7/32-Poll.—In exercise of the power conferred by sub-section (1) of section 2 of the Unlawful Instigation Ordinance, 1932 (Ordinance III of 1932), the Governor-General in Council is pleased to empower the local Governments of the provinces of Madras, Bombay, the Punjab, Bihar and Orissa and the Central Provinces to make declarations under sub-sections (2) and (3) of the said section.

No. S-8 32-Poll.—In pursuance of sub-section (2) of section 1 of the Unlawful Association Ordinance, 1932 (Ordinance IV of 1932), the Governor-General in Council is pleased to specify

the provinces of Madras, Bombay, Bengal, the United Provinces and Bihar and Orissa as provinces to which the provisions of sections 2, 3, 4, 5, 6, 7 and 9 of the said Ordinance extend.

No. 20-S/Poll.—Whereas the Governor-General in Council is of opinion that the association known as the Working Committee of the All-India Congress Committee interferes with the administration of law and order and constitutes a danger to the public peace:

Now therefore, in exercise of the power conferred by sub-section (1) of section 8 of the Unlawful Association Ordinance, 1932 (Ordinance IV of 1932), the Governor-General in Council hereby declares the said association to be unlawful.

No. 41.—Whereas the direction and management of activities in furtherance of the civil disobedience movement on behalf of the body known as the Tamil Nadu Provincial Congress Committee has been assumed by a "dictator" and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Tamil Nadu Provincial Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 42.—Whereas the body known as the Anantapur District Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Anantapur in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Anantapur District Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 43.—Whereas the body known as the Andhra Provincial Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Andhra Provincial Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 44.—Whereas the body known as the Guntur District Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Guntur in furtherance of the civil disobedience movement under the general

direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Guntur District Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 45.—Whereas in the opinion of the Local Government the members of the Sitanagram Ashram engaged in the district of East Godavari in furthering the civil disobedience movement constitute an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the members of the said Sitanagram Ashram to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 46.—Whereas in the opinion of the Local Government the body called the Cuddalore Taluk Congress Committee and the persons commonly known as "satyagrahis" or "volunteers" operating in the district of South Arcot in furtherance of the civil disobedience movement under the general direction and management of the said Cuddalore Taluk Congress Committee constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (Act XIV of 1908), as amended by the Devolution Act, 1920 (Act XXXVIII of 1920), the said Cuddalore Taluk Congress Committee and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 47.—Whereas the body known as the Dindigul Town Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Madura in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Dindigul Town Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 48.—Whereas the body known as the Dindigul Town Boycott Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Madura in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Dindigul Town Boycott Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 49.—Whereas in the opinion of the Local Government the body called the Masulipatam Town Congress Committee and the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Kistna in furtherance of the civil disobedience

movement under the general direction and management of the said Masulipatam Town Congress Committee constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (Act XIV of 1908), as amended by the Devolution Act, 1920 (Act XXXVIII of 1920), the said Masulipatam Town Congress Committee and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 50.—Whereas in the opinion of the Local Government the body called the Gudivada Taluk Congress Committee and the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Kistna in furtherance of the civil disobedience movement under the general direction and management of the said Gudivada Taluk Congress Committee constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (Act XIV of 1908), as amended by the Devolution Act, 1920 (Act XXXVIII of 1920), the said Gudivada Taluk Congress Committee and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 51.—Whereas in the opinion of the Local Government the body called the Gudivada Town Congress Committee and the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Kistna in furtherance of the civil disobedience movement under the general direction and management of the said Gudivada Town Congress Committee constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (Act XIV of 1908), as amended by the Devolution Act, 1920 (Act XXXVIII of 1920), the said Gudivada Town Congress Committee and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 52.—Whereas the body known as the Negapatam Taluk Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Tanjore in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Negapatam Taluk Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 53.—Whereas the body known as the Salem District Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Salem in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Salem District Congress Committee, the said "dictator" and the

said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 54.—Whereas the body known as the Salem Taluk Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of Salem in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Salem Taluk Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 55.—Whereas the body known as the Mangalore Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of South Kanara in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Mangalore Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 56.—Whereas the body known as the Udipi Congress Committee has appointed a "dictator" to direct and manage activities in furtherance of the civil disobedience movement and whereas in the opinion of the Local Government the said body and the said "dictator" together with the persons commonly known as "satyagrahis" or "volunteers" operating in the district of South Kanara in furtherance of the civil disobedience movement under the general direction and management of the said body or of the said "dictator" constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), as amended by the Devolution Act, 1920 (XXXVIII of 1920), the said Udipi Congress Committee, the said "dictator" and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

No. 57.—Whereas in the opinion of the Local Government the body called the Cuddalore Old Town Congress Committee and the persons commonly known as "satyagrahis" or "volunteers" operating in the district of South Arcot in furtherance of the civil disobedience movement under the general direction and management of the said Cuddalore Old Town Congress Committee constitute together an association which is interfering and has for its object interference with the administration of the law and with the maintenance of law and order and constitutes a danger to the public peace, the Local Government hereby declare under section 16 of the Indian Criminal Law Amendment Act, 1908 (Act XIV of 1908), as amended by the Devolution Act, 1920 (Act XXXVIII of 1920), the said Cuddalore Old Town Congress Committee and the said persons to be an unlawful association within the meaning of Part II of the said Indian Criminal Law Amendment Act.

(By order of the Governor in Council)

G. T. H. BRACKEN,
Chief Secretary.

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